

PROB 12B  
(7/93)

Report Date: May 20, 2008

**United States District Court**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

MAY 29 2008

**Eastern District of Washington**

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Felix Martinez

Case Number: 2:06CR02157-002

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley

Date of Original Sentence: 11/27/2007

Type of Supervision: Supervised Release

Original Offense: Possession of Stolen Mail and  
Aiding and Abetting, 18 U.S.C. § 1708 & 2

Date Supervision Commenced: 12/17/2007

Original Sentence: Prison - 8 Months; TSR - 36  
Months

Date Supervision Expires: 12/16/2010

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 17 You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.
- 18 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**CAUSE**

On May 5, 2008, Mr. Martinez was given permission to travel to Laredo, Texas while transfer of supervision is being investigated. On May 13, 2008, Mr. Martinez reported to the U.S. Probation Office in Laredo, Taxes and submitted a urine sample which was later confirmed positive for amphetamines. Mr. Martinez admitted to having used such controlled substance and agreed to obtain a drug and alcohol evaluation, participate in recommended treatment, and submit to random urinalysis testing. Mr. Agustin Gamez, Jr., U.S. Probation Officer for the Southern District of Texas reviewed the attached waiver and hearing to modify conditions of supervised release with Mr. Martinez, to which he acknowledged this understanding with his signature. The requested modification will allow Mr. Martinez to address his chemical dependency issues.

Prob 12B

**Re: Martinez, Felix**

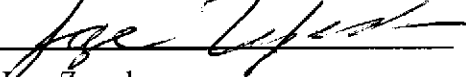
**May 20, 2008**

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

5/20/08



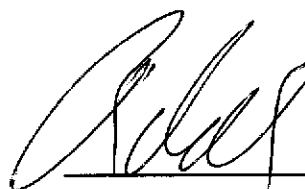
José Zepeda

U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
☒ The Modification of Conditions as Noted Above  
☐ Other



Signature of Judicial Officer

May 29, 2008

Date

PROB 47  
(3/99)

# United States District Court

Eastern District of Washington

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

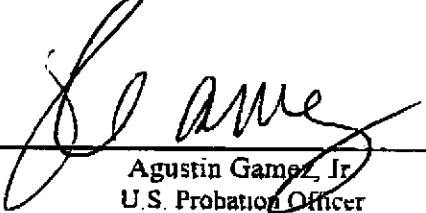
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

- 17 You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.
- 18 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Witness:

  
Agustin Gamez, Jr.  
U.S. Probation Officer

Signed:

  
Felix Martinez  
Probationer or Supervised Releasee

May 20, 2008

Date